



City of Marietta

Meeting Minutes

COMMITTEE OF THE WHOLE

205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061

William B. Dunaway, Mayor
Annette Paige Lewis, Ward 1
Grif Chalfant, Ward 2
Holly Marie Walquist, Ward 3
Irvan A. "Van" Pearlberg, Ward 4
Rev. Anthony Coleman, Ward 5
James W. King, Ward 6
Philip M. Goldstein, Ward 7

Monday, October 6, 2008

5:15 PM

4th Floor Conference Room

Presiding: William B. Dunaway

Present: Philip M. Goldstein, Jim King, Rev. Anthony Coleman, Grif Chalfant, Annette Lewis and Van Pearlberg

Absent: Holly Walquist

Also Present:

William F. Bruton, Jr. City Manager

Douglas Haynie, City Attorney

Yvonne Williams, Deputy Clerk

CALL TO ORDER:

Mayor William B. Dunaway called the meeting to order at 5:17 p.m.

MINUTES:

20081014 Regular Meeting - August 11, 2008

Review and approval of the August 11, 2008 regular meeting minutes.

A motion was made by Council member King, seconded by Council member Coleman, that this matter be Approved. The motion carried by the following vote:

Vote: 5 - 0 - 1

Approved

Abstain: 1 - Philip M. Goldstein

20081180 Regular Meeting - September 8, 2008

Review and approval of the September 8, 2008 regular meeting minutes.

A motion was made by Council member King, seconded by Council member Goldstein, that this matter be Approved. The motion carried by the following vote:

Vote: 6 - 0 - 0

Approved

BUSINESS:

20081231 BLW Report

Report by Councilman Jim King on the actions of the Board of Lights and Water at their regularly scheduled meeting on Monday, October 6, 2008.

Council member King reported on the actions of the Board of Lights and Water at their October 6, 2008 regular meeting. Finance Director Sam Lady reported on the BLW finance statements. (See the October 6, 2008 regular Board of Lights and Water meeting minutes for details.)

This matter was Reported.

A motion was made by Council member Chalfant, seconded by Council King, to suspend the rules of order to add an agenda item regarding the Lights of Life Use of Wildwood Park. The motion carried by the following vote:

Vote: 6 - 0 - 0

Approved

(See agenda item 20081246)

20081246 Lights of Life Use of Wildwood Park

Motion approving a request from Holiday Lights, LLC on behalf of Life University to place a lighted display promoting "Lights of Life" in Wildwood Park between November 1, 2008 - January 5, 2009. This annual request is to be approved administratively for the remainder of the term of this City Council unless there is a major change or until revoked by this City Council.

A motion was made by Council member Goldstein, seconded by Council member King, that this matter be Recommended for Approval - Consent Agenda. The motion carried by the following vote:

Vote: 6 - 0 - 0

Recommended for Approval - Consent Agenda

20080858 Chestnut Hill/Powder Springs Street

Request by Councilmember Grif Chalfant to request funds from the alternate compliance tree fund to landscape the corner of Chestnut Hill road and Powder Springs Road with a sustainable landscape design privately funded.

Council member Goldstein submitted a written disclosure that Bill Haggeman is a tenant of his at 120 S Park Square. Mr. Haggeman owns (direct or indirectly) the property adjacent to the right-of-way in question.

Motion to approve a Budget Amendment appropriating funds from the alternate compliance tree fund not to exceed \$6,000 to landscape the right-of-way only at the corner of Chestnut Hill road and Powder Springs Road with a sustainable landscape design privately funded.

The motion was made by Council member Coleman, seconded by Council member Goldstein, that this matter be Recommended for Approval as Stipulated - Non Consent Agenda. The motion carried by the following vote:

Vote: 6 - 0 - 0

**Recommended for Approval as Stipulated -
Non Consent Agenda**

20081156 Marietta Museum of History Directors

Consideration of a recommendation by the Museum of History Board to reappoint Thomas McBrayer, Alice Summerour, and Guy H. Northcutt Jr., to the Marietta Museum of History Board of Directors for a 3-year term expiring on October 31, 2011.

A motion was made by Council member King, seconded by Council member Coleman, that this matter be Recommended for Approval - Consent Agenda. The motion carried by the following vote:

Vote: 6 - 0 - 0

Recommended for Approval - Consent Agenda

20081157 Marietta Museum of History - Board Appointment

Consideration of a recommendation by the Museum of History Board to appoint Stacy Simpson Brown to the Marietta Museum of History Board of Directors to replace Vickie Thomas David for a 3-year term expiring on October 31, 2011.

A motion was made by Council member King, seconded by Council member Coleman, that this matter be Recommended for Approval - Consent Agenda. The motion carried by the following vote:

Vote: 6 - 0 - 0

Recommended for Approval - Consent Agenda

20081171 Post Office Property on Lawrence Street

Request by the Marietta Branch Post Office for easement along Lawrence Street.

A motion was made by Council member King, seconded by Council member Coleman, that this matter be Recommended for Approval as Stipulated - Consent Agenda. The motion carried by the following vote:

Vote: 6 - 0 - 0

**Recommended for Approval as Stipulated -
Consent Agenda**

(See modification to agenda item 20081171 on page 5.)

20081173 Historic Preservation Commission

An Ordinance approving an amendment to the Fiscal Year 2009 General Fund budget to use \$3,000 from designated contingency for the installation of historical signs for the Smith-Manning House.

A motion was made by Council member Goldstein, seconded by Council member King, that this matter be Recommended for Approval - Consent Agenda. The motion carried by the following vote:

Vote: 6 - 0 - 0

Recommended for Approval - Consent Agenda

20081178 Board of Zoning Appeals (Ward 6)

Consideration of an appointment to the Board of Zoning Appeals to fill the expired term of Millard W. Slayton, for a three year term expiring September 8, 2011.

Appointment to the Board of Zoning Appeals (Ward 6) for a three year term expiring September 8, 2011.

A motion was made by Council member King, seconded by Council member Goldstein, that this matter be Recommended for Council Agenda Non Consent. The motion carried by the following vote:

Vote: 6 - 0 - 0

Recommended for Council Agenda Non Consent

20081179 Board of Zoning Appeals (Ward 7)

Consideration of an appointment to the Board of Zoning Appeals to fill the expiring term of Neil Bishop, for a three year term expiring September 8, 2011.

A motion was made by Council member Goldstein, seconded by Council member Coleman, that this matter be Recommended for Approval - Consent Agenda. The motion carried by the following vote:

Vote: 6 - 0 - 0

Recommended for Approval - Consent Agenda

20080393 Construction Board of Adjustment and Appeals

Appointment of John Holmes to the Construction Board of Adjustment and Appeals (Ward 7) for a term of five years effective immediately and expiring on January 31, 2013.

A motion was made by Council member Goldstein, seconded by Council member Lewis, that this matter be Recommended for Approval - Consent Agenda. The motion carried by the following vote:

Vote: 6 - 0 - 0

Recommended for Approval - Consent Agenda

20081219 175th Anniversary

General discussion on the 175th Anniversary and Steering Committee.

This matter was Tabled.

20081244 Final Hickory Hills Park Payment

Ordinance to amend FY2009 budget in amount of \$50,000 for the final payment for purchase of Hickory Hills Park

A motion was made by Council member Goldstein, seconded by Council member King, that this matter be Recommended for Approval - Consent Agenda. The motion carried by the following vote:

Vote: 6 - 0 - 0

Recommended for Approval - Consent Agenda

20081230 Draft Agenda

Review and approval of the October 13, 2008 Draft City Council Agenda.

-under Minutes: Agenda items 20081245 and 20081202 were added to the consent agenda.

-under Council Appointments: Agenda item 20080393 was added to the consent agenda.

-under Public Works: Agenda item 20081162 was removed from the consent agenda.

-under Other Business: Agenda item 20081181 was added to the consent agenda.

This matter was Discussed.

20081218 Executive Session

Executive Session to discuss Legal, Personnel and/or Real Estate matters.

A motion was made in open session by Council member Walquist, seconded by Council member King, to enter an Executive Session to discuss legal and real estate matters. The motion carried by the following vote:

Vote: 6 - 0 - 0

Approved

For: Annette Paige Lewis, Grif Chalfant, Van Pearlberg, Rev. Anthony Coleman, James W. King, and Philip M. Goldstein

The Executive Session was held (the Chairman's affidavit is attached hereto as Attachment A).

A motion was made in open session by Council member King, seconded by Council member Goldstein, to close the Executive Session. The motion carried by the following vote:

Vote: 6 - 0 - 0

Approved

For: Annette Paige Lewis, Grif Chalfant, Van Pearlberg, Rev. Anthony Coleman, James W. King, and Philip M. Goldstein

Motion was made by Council member Goldstein, seconded by Council member Pearlberg, to modify the agreement with the Marietta Branch Post Office to allow for an easement along Lawrence Street for the completion of proposed improvements, which shall include replacement of the sidewalk along the site frontage fully compliant with ADA Requirements. The motion carried by the following vote:

Vote: 6 - 0 - 0

Recommended for Approval - Consent Agenda

ADJOURNMENT:

The meeting was adjourned at 6:48 p.m.

Respectfully submitted,

Stephanie Guy, City Clerk

Approved: _____